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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/914,894	09/04/2001	Amichai Heines	118/02339	6029

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EXAMINER

ABDULSELAM, ABBAS I

ART UNIT PAPER NUMBER

2677

DATE MAILED: 07/26/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

# Office Action Summary

Application No.

09/914,894

Applicant(s)

HEINES ET AL.

Examiner

Abbas I. Abdulsalam

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE \_\_\_\_ MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☒ Responsive to communication(s) filed on 27 April 2005.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1-74 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 1-65 and 68-70 is/are allowed.
- 6) ☒ Claim(s) 66,67 and 71-74 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

## Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some \* c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

## Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date 18 4/25/05
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_

### **DETAILED ACTION**

1. This office action is in response to a communication filed on 04/27/05. Claims 1-74 are pending.

#### ***Allowable Subject Matter***

2. Claims 1-65 and 68-70 are allowed.

#### ***Response to Arguments***

3. Applicant's arguments (see page 1-4), filed on 04/27/05 with respect to the rejection(s) of claim(s) 66-67 and 71-74 under U.S.C. 103(a) have been fully considered and are persuasive. Therefore, the rejection has been withdrawn. However, upon further consideration, a new ground(s) of rejection is made in view of Miller et al. (USPN 5771116).

#### ***Claim Rejections - 35 USC § 102***

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 66-67 and 71-74 are rejected under 35 U.S.C. 102(b) as being anticipated by Miller et al. (USPN 5771116).

Regarding claims 66-67, Miller teaches a method of flipping in a pixel using electrostatic forces, (Fig. 2 (20), Fig. 5 (50, 52), col. 5, lines 38-49 and col. 6, lines 17-49) comprising: counteracting stiction between said panel and a surface using field generated by applying a

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voltage to a levitation electrode; (Fig. 7 (80, 82, 84) and lines 27-39) and flipping said panel using field generated by applying a voltage to a second, flipping electrode. (Fig. 2 (22), Fig. 5 (50, 52), col. 5, lines 38-49 and col. 6, lines 23-49).

Regarding claim 71, Miller teaches the panel initially rises from the surface when it is flipped and wherein the flipping electrode is above the level of the panel prior to flipping of the panel (col. 6, lines 17-22).

Regarding claim 72, Miller teaches the voltage applied to the flipping electrode is operative to attract the panel so that it lifts away from the surface, when the levitation electrode is activated (col. 3, lines 47-63, col. 5, lines 38-44 and Fig. 2 (22)).

Regarding claim 73, Miller teaches the voltage applied to the levitation electrode is discontinued prior to completion of the flipping (col. 3, lines 47-63, col. 5, lines 38-44 and Fig. 2 (22)).

Regarding claim 74, Miller teaches a force generated by electrifying said levitation electrode interferes with the force generated by electrifying the flipping electrode (col. 3, lines 47-63, col. 5, lines 38-44 and Fig. 2 (22)).

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Abbas I. Abdulsalam whose telephone number is (571) 272-7685. The examiner can normally be reached on Monday through Friday from 9:00 A.M. to 5:30 P.M..

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Bipin Shalwala can be reached on (571) 272-7681. The fax phone number for the organization where this application or proceeding is assigned is (571) 273-8300.

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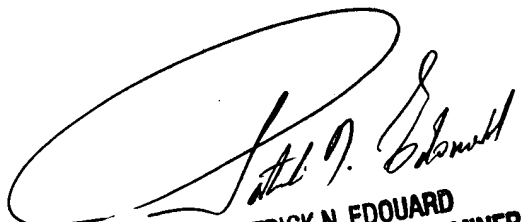
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Abbas Abdulsalam

Examiner

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July 22, 2005



PATRICK N. EDOUARD  
SUPERVISORY PATENT EXAMINER